

HOUSE BILL No. 1614

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-91; IC 12-15-41.

Synopsis: Medicaid payments for tobacco related diseases. Establishes the tobacco related diseases fund within the state Medicaid program to pay the state's share of Medicaid payments for the treatment of tobacco related diseases. Provides that money in the fund consists of money from the tobacco settlement. Requires that money in the fund be used in its entirety during each state fiscal year before the state's share of Medicaid payments for the treatment of tobacco related diseases may be taken from the Medicaid account within the state general fund. Requires a health care provider to inform the office of Medicaid policy and planning when the provider treats an individual who is enrolled in the Medicaid program for a tobacco related disease. Requires the office
(Continued next page)

Effective: July 1, 1999.

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January 21, 1999, read first time and referred to Committee on Ways and Means.



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Digest Continued

of Medicaid policy and planning, with the assistance of the state department of health, to establish a list of tobacco related diseases. Makes conforming amendments.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1614

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-7-2-91 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 91. "Fund" means the
3 following:
4 (1) For purposes of IC 12-12-1-9, the fund described in
5 IC 12-12-1-9.
6 (2) For purposes of IC 12-13-8, the meaning set forth in
7 IC 12-13-8-1.
8 (3) For purposes of IC 12-15-20, the meaning set forth in
9 IC 12-15-20-1.
10 (4) For purposes of IC 12-15-41, the meaning set forth in
11 IC 12-15-41-1.
12 (4) (5) For purposes of IC 12-17-12, the meaning set forth in
13 IC 12-17-12-4.
14 (5) (6) For purposes of IC 12-18-4, the meaning set forth in
15 IC 12-18-4-1.

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~~(6)~~ (7) For purposes of IC 12-18-5, the meaning set forth in IC 12-18-5-1.

~~(7)~~ (8) For purposes of IC 12-19-3, the meaning set forth in IC 12-19-3-1.

~~(8)~~ (9) For purposes of IC 12-19-4, the meaning set forth in IC 12-19-4-1.

~~(9)~~ (10) For purposes of IC 12-19-7, the meaning set forth in IC 12-19-7-2.

~~(10)~~ (11) For purposes of IC 12-23-2, the meaning set forth in IC 12-23-2-1.

~~(11)~~ (12) For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.

~~(12)~~ (13) For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.

~~(13)~~ (14) For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

SECTION 2. IC 12-15-41 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 41. Tobacco Related Diseases Fund

Sec. 1. As used in this chapter, "fund" means the tobacco related diseases fund established by this chapter.

Sec. 2. The tobacco related diseases fund is established to pay the state's share of Medicaid payments for the treatment of tobacco related diseases.

Sec. 3. The expenses of administering the fund shall be paid from money in the fund.

Sec. 4. Money in the fund consists of money from the tobacco settlement. The tobacco settlement refers to the master settlement agreement in the case of State of Indiana ex rel. Jeffrey A. Modisett, Attorney General of Indiana v. PHILIP MORRIS, INCORPORATED; R.J. REYNOLDS TOBACCO CO.; AMERICAN TOBACCO CORP.; BROWN & WILLIAMSON TOBACCO CORP.; LIGGETT & MYERS, INC.; LORILLARD TOBACCO CO., INC.; UNITED STATES TOBACCO COMPANY; B.A.T. INDUSTRIES, P.L.C.; BRITISH AMERICAN TOBACCO COMPANY; HILL & KNOWLTON, INC.; THE COUNCIL FOR TOBACCO RESEARCH - U.S.A., INC.; and THE TOBACCO INSTITUTE, INC.

Sec. 5. (a) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.



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1 (b) Interest that accrues from investments shall be deposited in
2 the fund.

3 Sec. 6. The office shall maintain records that show the amount
4 of money in the fund and the amount of investment earnings on
5 that amount.

6 Sec. 7. Money in the fund at the end of a state fiscal year does
7 not revert to the state general fund.

8 Sec. 8. Money in the fund may only be used for the purposes
9 listed in section 2 of this chapter to the extent that federal financial
10 participation under Medicaid is available to match the state
11 money.

12 Sec. 9. During each state fiscal year, all money in the fund must
13 be used in its entirety before money in the Medicaid account within
14 the state general fund may be used for the purposes described in
15 section 2 of this chapter.

16 Sec. 10. A provider shall certify to the office when the provider
17 treats an individual who is enrolled in the Medicaid program for
18 a tobacco related disease.

19 Sec. 11. The office, with the assistance of the state department
20 of health, shall establish, maintain, and update as necessary a list
21 of tobacco related diseases for use in carrying out the purposes of
22 this chapter.

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